

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFREY J. ZANDER, <i>et al.</i> ,)	
)	
Plaintiffs)	
)	No. 3:12-0967
v.)	Judge Sharp/Brown
)	Jury Demand
KATZ, SAPPER & MILLER, LLP,)	
<i>et al.</i> ,)	
)	
Defendants)	

O R D E R

A 30-minute telephone conference was held with the parties on October 29, 2013. Defendants' counsel has requested permission to take three additional depositions and to extend the discovery deadline. Plaintiffs' counsel has expressed a strong desire not to extend deadlines such that it would affect the present May 6, 2014, trial date. At the present time the parties anticipate that this case can certainly take up to five days to try.

After discussion with counsel the Magistrate Judge will allow the Defendants to take the three additional depositions requested. The deadlines for discovery and dispositive motions previously set in Docket Entry 43 are extended as follows. The discovery and dispositive motion deadlines shall both be **January 10, 2014**. Responses to any dispositive motions shall be due **21 days** after the motions, and replies, if any, limited to **five pages**, will be due **seven days** after the response.

In setting the discovery and motion deadline on the same date the Magistrate Judge is aware that this is unusual. Plaintiffs' counsel believes that the three depositions will not involve matter germane to summary judgment motions. Defendants' counsel is unwilling to concede that until the depositions are actually taken. The Magistrate Judge would urge the parties to get the depositions scheduled as soon as practicable, so that if there is an issue about their materiality on a summary judgment as opposed to trial, it can be brought to the Magistrate Judge's attention for resolution as soon as practicable.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge